



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE

REFER TO FILE: **C-1**

December 30, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**REJECT BIDS
PROJECT ID NO. RDC0013732
ADMIRALTY WAY AT MARINA DEL REY
BICYCLE PATH, ET AL.
MODIFICATION OF TRAFFIC SIGNALS
SUPERVISORIAL DISTRICT 4
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Reject all bids received on December 7, 2004, for Project ID No. RDC0013732, Admiralty Way at Marina del Rey Bicycle Path, et al., modification of traffic signals.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On December 7, 2004, four bids were received for the work of this contract. The lowest bid was less than the engineer's estimate. However, the contractor who submitted the lowest bid, Inspection Engineering Construction, Inc., has been cited by the District Attorney for forgery and second degree commercial burglary. The reason for this citation stems from the contractor's behavior on a previous Public Works project. The remaining three bids are all significantly greater than the engineer's estimate. However, on September 21, 2004, a contract was awarded to Dynalectric to provide as-needed traffic signal installation services. Utilization of this contract will be cheaper than

awarding to the second low bidder. Therefore, we believe that rejecting all bids and performing the work under our As-Needed Traffic Signal Construction contract are in the County's best interest.

Our certified record of the receipt and original bid proposals as submitted by the bidders are enclosed.

Implementation of Strategic Plan Goals

This project is consistent with the County Strategic Plan Goal of Service Excellence since it will provide improved traffic flow and safety for motorists, pedestrians, and bicyclists. Completion of the work of the contract as proposed is consistent with the County Strategic Plan Goal of Fiscal Responsibility since it will provide a mechanism to complete the contract work quickly and efficiently utilizing a responsible contractor.

FISCAL IMPACT/FINANCING

Utilizing the As-Needed Traffic Signal Construction contract will be more economical than awarding to the second low bidder. Based on the bids received, it is unlikely that readvertising the project will result in lower bids. Readvertising would also delay completion of the contract work.

This project is included in the Fiscal Year 2004-05 Road Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The "Instructions to Bidders," included as one of the contract documents, provide for the rejection of all bids by your Board if such action is in the best interest of the County.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt pursuant to Class 1, Subsections (x)(4) and (x)(24), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

CONTRACTING PROCESS

The contract which will be used to complete the work was solicited on an open competitive basis in accordance with the provisions of the Public Contract Code.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

Public Works has confirmed that the contractor is in compliance with the County's Child Support Compliance Program and the requirements of the Contractor Employee Jury Service Program. In addition, the contract includes language requiring compliance with the Newborn Abandonment Law (Safely Surrendered Baby Law).

The project specifications also contain a provision that, should the contractor require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence or General Relief Opportunities for Work Programs.

To ensure that the contracts are awarded to responsible contractors with satisfactory performance histories, bidders are required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported by the contractor was considered before making this recommendation to approve execution of this contract.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Any delay associated with rejecting these bids will have no significant impact on current services.

The Honorable Board of Supervisors
December 30, 2004
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CONCLUSION

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE
Interim Director of Public Works

HC:er

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Enc.

cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance